

Notice of Allowability

Application No.

10/817,305

Applicant(s)

KOLMAN, ROBERT STANLEY

Examiner

Patrick J. Assouad

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to filing on 4/2/04.
2. ☒ The allowed claim(s) is/are 1-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

a) the instant claimed invention is statutory under 35 USC 101 because the claimed "program code" is stored on "computer readable media" which may be "one or more of: fixed disks, removable disks, random access memories (RAMs), read only memories (ROMs), magnetic disks, and optical discs. Further, and by way of example, the program code may be installed on a circuit tester (e.g., the 93000 System on a Chip (SOC)..." (para. 0008 of the instant Specification); and the output of the claimed invention is a "useful, concrete tangible result," namely, an "ASCII format description file"; and

b) the prior art of record does not suggest or disclose the claimed combination of elements, most notably the "user-modifiable ASCII report format that is formed, at least in part, of placed ones of said user-selectable representations of circuit test data; and program code to i) interpret relative sizes and placements of elements forming said user-modifiable ASCII report format, and ii) generate an ASCII format description file in response to said interpretation." The closest prior art of record is Danialy et al. ('871 B2) which teaches in col. 12:

When the user selects a save option, the program writes, in ASCII format, all of the test specifications to a user specified test configuration file 50 in the sequence illustrated in the test configuration box and includes all of the runtime parameters specified in the parameter specification window for each specific test controller specified in the test configuration.

The user interface also provides means for displaying and editing all of the possible parameters associated with the test controller types handled by the system. FIG. 8 illustrates a test step window for specifying "Advanced" parameters associated with a selected logic test controller. A similar window would be provided for all other type types of test controllers, but with

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different parameters. Still further, the user interface may provide a button or other means for invoking any ATE program, if desired, to allow the interface to directly control the tester.

It will be understood that the content and layout of the user interface windows may be modified without departing from the spirit of the invention.

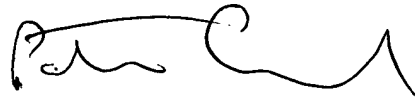
But Danialy et al. do not suggest or disclose the specific aforementioned combination of claimed elements.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance." Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick J. Assouad whose telephone number is 571-272-2210. The examiner can normally be reached on Tuesday-Friday, 6:30am-5:00pm.

3. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Hoff can be reached on 571-272-2216. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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4. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Patrick J Assouad
Primary Examiner
Art Unit 2857

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